

as out of it, to hazard the expression of an opinion as to which is regarded as the most valuable privilege, that of voting for or being voted for, he should say, that the number was not small, especially amongst politicians and the pretended friends of the "dear people," which was so disinterested and patriotic as to believe that the latter privilege is much more valuable and important than the former.

His friend from Baltimore county, (Mr. Howard,) had said that in advocating the proposed article in the Constitution, he but sustained the principles for which he, (Mr. D.,) contended, that there was no difference of opinion between them. He, (Mr. D.,) begged leave to correct him; there was a very great difference of opinion between them. The article under consideration and the doctrine urged by his friend, (Mr. Howard,) required a residence in the State of five years after naturalisation. He, (Mr. D.,) insisted that it was wholly immaterial whether the residence immediately preceded or succeeded the naturalization; that the eligibility was the same in both cases. His friend from Anne Arundel, (Mr. Randall,) had contended for a similar principle in the construction of an article in the Constitution relative to the one year's residence of a voter, he contending that the year's residence must succeed the naturalisation. This opinion of his friend, (Mr. Randall,) he, (Mr. D.,) opposed and was dissented from by a large majority of this Convention.

Mr. BOWIE inquired whether the residence for five years applied to every body, or only to citizens naturalised or coming from another State? Was there any distinction at all in the bill as reported?

Mr. DORSEY. I admit that my friend's article before us as reported, applies in terms to all citizens; but we have decided here that we do not require the residence to be after naturalization, for a man who becomes naturalised to entitle him to vote. If any one, a citizen from the eastern States, comes here and resides five years, he is eligible by my friend's article; but if a foreigner comes here and settles among us, having made his declaration of intention to become a citizen, pursuant to the Acts of Congress, he must not only reside here five years before he can become a naturalised citizen, but five years more before he can be eligible to the office of judge. Thus double the time of residence is required for the naturalised citizen; which is unreasonable and unjust.

Mr. BOWIE. Is a man who has lived here five years, and who now comes from Boston, for example, a citizen of Maryland?

Mr. DORSEY. If he is a resident. He may be a sojourner; but to be a citizen he must be a *bona fide* resident. The foreigner comes here with the *bona fide* intention of becoming a citizen of the United States. He resides here five years and is naturalised. Does he stand exactly in the same condition then as a man from the eastern States who has been a resident for five years? No, sir; the inhabitant from the eastern States is entitled to be voted for as Governor, judge, &c., but the naturalised foreigner must stay five

years longer before he can be voted for. The foreigner then, is obliged to wait ten years before he will be eligible. This I wish to avoid. It was urged in a former debate by my colleague, (Mr. Randall,) that the naturalised citizen must have been naturalised one year before he could vote. But the House decided otherwise, and he, (Mr. D.,) voted with the majority. If he had been resident one year, and was then naturalised, they decided that he would instantly have the right to vote. He concurred in the propriety of that decision, and he now only asked that we may be consistent with it. He now contended for the same principle that was decided when the right of suffrage was under consideration, and the same that was decided upon the gubernatorial article of the Constitution, and asked that we may be consistent in our votes on both subjects.

He desired that no distinction be made between them. When they have resided here five years, and have been naturalized, if the people see fit to elect them, let them do it. They have a right to do so. We have nothing to fear from this. This doctrine has been recognised in our Constitution ever since 1776—for 75 years at least—and no inconvenience has yet resulted from leaving the judgeship open to every denomination of citizens. We have never had a foreigner placed there who ought not to have been there. We require but five years residence for an Eastern Abolitionist; and he did not think we ought to give them a preference over naturalized foreigners.

Mr. TUCK said a few words.

Mr. BOWIE. He must be a citizen of the United States, if he is a citizen of the State. It is therefore surplusage, and I think it would read very awkwardly.

Mr. DORSEY. It appears to him that the awkwardness will be the result of not inserting the words he had offered as an amendment. A citizen from Massachusetts, for example, came into this State twenty years ago, and resided for five years. He comes in again and resides for one day. By the proposed article of the Constitution, without this amendment, he would be eligible to the office of judge the moment he entered the State, having heretofore resided in the State for five years. It does appear to him that the amendment proposed by him is necessary to explain the meaning of the whole passage, and it precludes the hardship of compelling a foreigner to wait ten years before he can be eligible to the office of judge.

Mr. BOWIE. I have already shown that a man may be a citizen of the United States, without being a citizen of the State of Maryland; and in my judgment, that is conclusive. He may be a citizen of the United States, and not a citizen of Maryland, even if he resides here.

Mr. DORSEY. If he resides here?

Mr. BOWIE. Yes, sir.

Mr. DORSEY. A *bona fide* residence?

Mr. BOWIE. Yes, sir, a temporary residence.

Mr. DORSEY. Then he is not a resident.

Mr. BOWIE. I think he would be a resident in fact and in law; and there we differ altogether upon the meaning of terms. I prefer infinitely